

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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KA'U AGRIBUSINESS CO., INC., Plaintiff-Appellee

vs.

HEIRS OR ASSIGNS OF AHULAU, KAHANANUI (w), also known as KAHANANUI HILINAI (w), MAHUNA (w), also known as MAHUNAWAI (w), MAHUNA AH WA (w) and MAHUNA AWA (w), KINOLAU (w), also known as KINOLAU HOLOUA (w), HULU (k), also known as HULU HILINAI (k), KANE HULU (k), also known as HULU KANE (k), MOI (k), also known as MOI HILINAI (k), JOSEPH H. HOLOUA, WILLIAM K. HOLOUA, KAAI KANAWAI, MELVIN GLENN MASON, MATHILDA NOELANI BATALONA MASON, and ALL WHOM IT MAY CONCERN, Defendants-Appellees

and

ROBERT K. STENDER, SR., JOSEPH H. STENDER, SR., WILLIAM K. AU YOUNG, JOSEPHINE L. FERREIRA, STANLEY S. STENDER, SR., HERMINE K. STENDER, and LIGAYA RASMUSSEN, Defendants-Appellants

NO. 24420

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 00-1-0292)

SEPTEMBER 2, 2004

MOON, C.J., LEVINSON, NAKAYAMA, ACOBA, and DUFFY, JJ.

ORDER OF AMENDMENT

The opinion of the court, filed on August 9, 2004, is amended as follows (deletions are bracketed and additions are double underscored):

The caption shall be amended by removing Melvin Glenn Mason and Mathilda Noelani Batalona Mason as Defendants-Appellants, and including them as Defendants-Appellees so that the caption reads as follows:

KA'U AGRIBUSINESS CO., INC., Plaintiff-Appellee

vs.

HEIRS OR ASSIGNS OF AHULAU, KAHANANUI (w), also known as KAHANANUI HILINAI (w), MAHUNA (w), also known as MAHUNAWAI (w), MAHUNA AH WA (w) and MAHUNA AWA (w), KINOLAU (w), also known as KINOLAU HOLOUA (w), HULU (k), also known as HULU HILINAI (k), KANE HULU (k), also known as HULU KANE (k), MOI (k), also known as MOI HILINAI (k), JOSEPH H. HOLOUA, WILLIAM K. HOLOUA, KAAI KANAWAI, MELVIN GLENN MASON, MATHILDA NOELANI BATALONA MASON, and ALL WHOM IT MAY CONCERN, Defendants-Appellees

and

ROBERT K. STENDER, SR., JOSEPH H. STENDER, SR., WILLIAM K. AU YOUNG, JOSEPHINE L. FERREIRA, STANLEY S. STENDER, SR., HERMINE K. STENDER, and LIGAYA RASMUSSEN, [MELVIN GLENN MASON, and MATHILDA NOELANI BATALONA MASON,] Defendants-Appellants

The Clerk of the Court is directed to incorporate the foregoing changes in the original opinion and take all necessary steps to notify the publishing agencies of these changes.